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were such as to develop their worse rather than their better qualities. Our methods might have done very well for Europe; they may have been suitable in India, where the people are protected against economic forces by the ties of caste, but they did not suit the Burman. 'It was the best butter', said the Hatter; but it spoiled the watch.

Clerical Unrest. In Burma the turbulence prevalent among the monks is one of the more recent features of social disorder and unrest, but it is merely one aspect of the dissolution of society indicated by the growth of crime. In Java there is nothing of the kind. As already noticed, causes relating to religion are tried in special Moslem courts, instead of, as in Burma, coming before the ordinary lay court; and the law applied is Moslem ecclesiastical law as interpreted by native Moslem judges, whereas in Burma the rule of decision is looked for in the *dhammathats* as interpreted on the principles of western law. The procedure in Java does not weaken but fosters corporate authority in the religious establishment. Moreover, the village clerics are appointed by or with the approval of the Regent, whereas in Burma the Government has held aloof from all concern with promoting the establishment, while actively breaking it down by the transfer of religious causes to the civil courts. The Dutch have with good reason tried to conciliate Moslem sentiment and, even if they have not been wholly successful, there is nothing in Java corresponding to the clerical unrest in Burma.[1]

Corruption. We have had to notice the prevalence of corruption in Burma. By all accounts it is practically unknown in Java. The absence of judicial corruption can easily be understood. Petty cases are settled by arbitration either out of court, or before a bench of notables with a senior and well-paid official as chairman; or they go before a civil servant or judicial officer with long service and on high pay. Moreover, the penalties imposed are so trivial that it is cheaper to be punished than to bribe a policeman or magistrate to escape punishment. Serious matters go before a bench containing at least three high judicial officers as well as laymen of good standing. It would be difficult and dangerous to bribe the whole bench. In civil cases the decision purports to follow customary law, and the people can know whether it is right; the court must justify itself to popular opinion and not to higher judicial authority. In these circumstances there is little scope for bribery.

But that corruption should be unknown in general administration,

[1] Bousquet, pp. 51 ff.; *Vrij Nederland*, 27 Nov. 1943.

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661 with a Government intervening so actively in every branch of social life, seems almost incredible. That, however, is certainly the general opinion. For example, the People's Banks, in dealing with applications for loans, depend largely on reports from the village headman as to the character and circumstances of the applicants. This would seem to provide a ready means by which the headman might supplement his income. In Burma it was regarded as natural and not improper that the headman should charge applicants for loans from Government a fee for making his report. In Java a suggestion to this effect met with the response, 'But there would be a complaint!', and that was taken as a sufficient and final answer. So far as the general opinion as to the absence of corruption is well-founded, there would seem to be two explanations: one is the tradition of 'complaints'; the other, the permanence of the Regent.

694 661 As already explained, it has been a tradition from the early days of Liberal rule that the Controleur, without actually instigating complaints, should encourage the people to complain of any oppressive act. The Liberals prided themselves on relieving the people from the oppression by their native chieftains that had been one feature of the Culture system, and one chief duty of the Controleur, as he moved among the people, was to detect and bring to light oppression by encouraging them to complain, so that the 'complaint' has become a word of magic. In Burma anyone may petition the local magistrate; but the petition must bear a court fee stamp; in practice it is written by a legal practitioner or by a licensed petition writer; it must be presented in open court, and must disclose some matter in respect of which the law entitles the petitioner to relief. It is an application to an officer of the law for some action according to the law. In Java anyone may complain, orally or in writing, at any time, on any matter; no stamp or court fee is required; there are no licensed petition writers, and anyone may write the complaint. Even diehards recognized one good feature in the nationalist movement: that the nationalist leaders encouraged the people to formulate complaints. The tradition goes back far beyond the Liberal period; it dates from the principle adopted in 1803 that Government should act 'more like a father studying to promote the welfare of his family than a ruler governing his subjects'; the Liberals merely devised machinery for making the tradition more effective. Thus the 'complaint' has come to take a place alongside 'gentle pressure' as a distinctive feature of Dutch colonial practice.

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Another safeguard against corruption is the Regent. In Burma no one stays long enough in one place to ascertain in what quarters and to what extent corruption may prevail; still less is it possible to work up and carry through proceedings against those who are corrupt. In Java the Regent is permanent. His position and his high pay protect him against the temptation to accept petty bribes, and concern for his own authority and prestige makes him jealous of the influence of corrupt subordinates. These cannot practise corruption long or effectively without attracting the attention of the Regent, who can see that the offender is brought to account. If, then, the administration is so free from corruption as one is told, the credit is probably due in great part to the Regent.

Authority and Law. It must be admitted then that, in all those matters which stand out conspicuously as abuses under British rule in Burma, Dutch rule in Java presents a favourable contrast. Yet there is another side to the picture. The Government has employed 'gentle pressure' to protect the village community against dissolution, and to promote welfare; yet 'gentle pressure' may be debilitating rather than a stimulant, making the patient less able and not more able to stand alone. And it is difficult to reconcile gentle pressure, however well-intentioned, with the principles of liberty and law. In an address to a Dutch audience interested in colonial problems, the present writer endeavoured to illustrate this point.[1]

'One of your subordinate native officers described his work. "I improved sanitation. I got the people to found schools, and build bazaars, and provide a polyclinic. And I would not allow bamboo bazaars; if they could not afford wooden walls, I took care that the posts were of substantial timber and that the roof was sound. I even planted flower gardens, a thing that practically no one else has done; and it was all my own idea, without pressure from above." I have heard your European officers described as social engineers and your native civil servants as welfare officers, and the terms are justified. As I went round your villages and saw the infinite pains you take to conserve village society and build up social welfare, I found myself humming a tune. It was a hymn tune. Gradually the words came back to me: "Can a mother's tender care, Cease towards the child she bare? Yes, she may forgetful be, Yet will I remember thee." I thought of the hours and days we spend on the Bench, listening to advocates (trying to mislead us), laboriously taking down evidence (much of it false evidence), and sending poor unfortunates to jail, and I was filled with envy and admiration of your officers who have the privilege of giving

[1] Furnivall, *Asiatic Review*, 1935, pp. 655 ff.